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In re Application of :  
Richard A. Graff :  
Application No. 09/785,254 : DECISION DISMISSING PETITION  
Filed: February 16, 2001 :  
Attorney Docket No. GRAFF-P1-01 :

This is a decision on the "Petition to Withdraw Terminal Disclaimer" filed July 5, 2005. The petition will be treated under 37 CFR 1.182.

The petition is **dismissed**.

The record reflects that a terminal disclaimer was filed in the subject application on February 16, 2001, to overcome a double-patenting rejection. By the instant petition, petitioner maintains that the terminal disclaimer is unnecessary and requests that the terminal disclaimer be withdrawn because the claims have been substantially amended since the terminal disclaimer was filed. Examiner Mark Fadok of Technology Center 3600, GAU 3625 to whom the subject application is assigned has reviewed the claims and finds that the terminal disclaimer is still necessary to overcome a double patenting rejection for obviousness. The petition to withdraw the terminal disclaimer is dismissed accordingly.

Deposit account 50-0235 will be charged \$400.00 for the instant petition fee. See 37 CFR 1.182

Further correspondence with respect to this matter should be addressed as follows:

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By facsimile: (571) 273-8300  
Attn: Office of Petitions

The application file is being directed to the Office of Patent Publications for further processing.

Any inquiries related to this decision should be directed to the undersigned at (571) 272-3222.

*Kenya A. McLaughlin*  
Kenya A. McLaughlin  
Petitions Attorney  
Office of Petitions